



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, US ARMY SIGNAL CENTER OF EXCELLENCE
OFFICE OF THE STAFF JUDGE ADVOCATE
419 B STREET, BLDG 29718
FORT GORDON, GEORGIA 30905-5719

May 17, 2011

Legal Assistance Office

United States District Court
450 Golden Gate Avenue, Box 36060
San Francisco, CA 94102-3489

Re: Specialist Tiffany Kent
Civil Action Number: 10-4378 (EDL)

Dear Judge:

Specialist (SPC) Tiffany Kent has received a civil summons in the above-referenced case. I write to inform you that SPC Kent is currently serving in the active military service in the 513th Military Intelligence Brigade at Fort Gordon, GA. SPC Kent will be unable to appear and protect her interests in this case at this time.

I am merely writing to the court as an informant of SPC Kent's military status. I am not authorized to represent SPC Kent on this matter and this letter should not be construed as an appearance.

Federal law allows a stay of proceedings for service members on active duty when their ability to defend themselves is materially affected by their military service (50 U.S.C. App. § 522). Further, the law allows for an automatic stay of proceedings of 90 days when the court is initially notified of the soldier's inability to participate in the court proceedings due to his or her military service. In this instance, SPC Kent is a Soldier in the 513th Military Intelligence Brigade. This brigade conducts intelligence in support of operations in the United States Central Command (CENTCOM) area of responsibility to defeat adversaries, promote regional stability, support partners and allies, and protect U.S. national interests. SPC Kent's role as a Signal Support Systems Specialist at Fort Gordon, GA precludes her from participation in court proceedings at this time. Leave is not ordinarily granted on such short notice for the amount of time required for SPC Kent to attend to this complicated case.

SPC Kent wishes to request a delay of all proceedings for ninety (90) days, when her ability to present a defense is no longer materially affected by her military service. This request stems from SPC Kent's belief that there are contested issues to be litigated in this case and that her presence will be required to adequately protect his interests. She will need time to obtain advice and representation in this matter.

SPC Kent intends to take leave at the expiration of this requested delay, so that she can attend to this matter. She is asking for a stay of 90 days, including the time to file an answer, so that she may attend to her military duties and then obtain adequate assistance with this matter.

FILED

MAY 20 2011

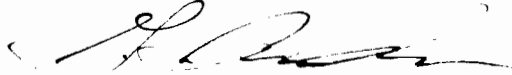
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RECEIVED
2011 MAY 20 A 11:45
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

This letter is a special request to delay all aspects of the proceedings to allow SPC Kent to perform her critical duties. Enclosed is a copy of SPC Kent' military orders for your review.

Thank you for your assistance. Please inform me at the above address of your action regarding this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Dunham', with a stylized flourish at the end.

Grant S. Dunham
Captain, US Army
Legal Assistance Attorney

Copy Furnished:
D. Gill Sperlein
584 Castro ST
Suite 879
San Francisco, CA 94114

H HZ
ARR S-G

DEPARTMENT OF THE ARMY
Headquarters, US Army Air Defense Artillery Center and Fort Bliss
Fort Bliss, Texas 79916-6812

Orders 072-37

12 March 2008

KENT, TIFFANY L. 536-06-2396 SPC HQ 204TH MI SPT CO (ARB) (WERDT0) FORT BLISS, TX 79916

You will proceed on permanent change of station as shown.

Assigned to: USASIGNAL CEN FT GOR (W0U5AA) FORT GORDON, GA 30905

Reporting date: 10 April 2008

Additional Instructions: (a) Upon arrival at your new duty station you are required to enroll yourself and your family members with your new TRICARE Region, and reconfirm your DEERS information. For additional information, you can access the TRICARE website at: www.tricare.osd.mil.

(b) If you plan to ship store, locally move your own (DITY Move) household goods you must immediately contact your transportation office and provide them 8 copies of your orders to include any and all amendments PER SHIPMENT. If you ship personal property at Government expense contact the transportation office of your new duty station immediately after arrival to arrange for delivery.

(c) For all you need to know about your next installation and surrounding communities. This website contains links to individual installation ACSM (Housing and Relocation) websites and other websites regarding relocation. The website address is: <http://www.onestoparmy.com>. If you are authorized permissive temporary duty you must report to the housing officer servicing your new duty station on the day your permissive TDY begins with your DA Form 31. Permissive TDY will end on the date specified on your DA Form 31 or on the date you sign into our new duty station, whichever comes first.

(d) Dependents: YES

(e) You are authorized shipment of household goods at the government expense.

(f) Upon receipt of orders soldier is required to report to S-1 to schedule a finance out-processing appointment.

(g) You are responsible for reporting to your next duty station in satisfactory physical condition, able to pass the APFT and meet weight requirements IAW AR 600-9.

(h) Official travel arranged through commercial travel offices not under contract to the Government is not reimbursable.

(i) Air Mobility Command scheduled passenger airlift will be used to the maximum extent possible. Commercial transportation will only be procured by the government when it has been determined that AMC cannot meet the movement requirements (E.G. The soldier ORDTGC specified in EDAS assignment instructions).

(j) If you or any family member is affiliated with the US Army Medical Command (MED COM) or the Army Medical Department (AMEDD), that family member may be eligible to participate in the transition employment assistance for MEDCOM/AMEDD program information regarding eligibility and how to participate is available online at <http://civpers.amedd.army.mil>.

(k) IAW ALARACT message 093/2007 dated 072025 May 07, subject: Establishment of MTOE. Retained Issued Organizational Clothing and Individual Equipment (OCIE), you are authorized to ship OCIE retained issue items (identified in para 3.A.1) at government expense if being assigned to a MTOE unit within your current geographic area (CONUS, Europe, or Pacific) (inner-theater reassignment). To arrange shipment of your OCIE, contact your supporting Central Issue Facility (CIF) or Installation Transportation Office (ITO). Your OCIE must be packed in duffle bag(s) and secured with a personal lock. To arrange pick-up at your new duty station, contact your gaining installation CIF or ITO. Soldiers not being reassigned to a MTOE unit or are being assigned overseas are not authorized to ship OCIE at government expense and must turn in OCIE during out-processing.

(l) In the event you need emergency assistance (Leave Extension, Change in Port Call, Family Travel Problems, etc) you should contact the Army Traveler's Assistance Center at (800) 582-5552. Do not contact your losing or gaining unit.

(m) Soldier will report to Bldg 505 (Welcome Center) prior to departure to obtain installation clearing papers. Soldiers married and or living off post will report 10 working days prior to departure to obtain installation clearing papers. Single Soldiers and Soldiers living in the barracks will report 5 working days prior to departure to obtain installation clearing papers.

(n) Screen IAW Table 2-5, COL 14, AR 600-8-11, USAINSCOM. Assignment requires a top secret security clearance with access to SCI. If DA Form 873 reflects a current SBI (within 5 years) no further processing is required. If SBI is over 5 years old or any other investigation is indicated, a request for SBI must be initiated immediately upon receipt of this notification. Initiate SBI and ship.

Order 072-37 HQ, US Army Air Defense Artillery Center and Fort Bliss, Texas 79916 12 March 2008

FOR ARMY USE

Auth: N/A
MDC: 3AE8
PMOS/AOC: 25U1000YY
Asgd to mgt designation: 25U1000YY
Con specialty: N/A
Pers con no: 5C2008010030
PPD: Not applicable
Projected specialty: None
Enlistment/Reenlb indicator: None
Format: 410

FOR THE COMMANDER:



C.D. YOUNG
Adjutant General

Distribution:

SPC KENT, TIFFANY L. (10)
CDR, HQ 204TH MI SPC CO (ARB), FT BLISS, TEXAS 79916 (1)
CDR, USASIGNAL CEN FT GOR (W0U5AA) FORT GORDON, GA 30905 (1)
MPRJ (1)
(CM)

Endorsement	<i>1st</i>	<i>11 April 08</i>
HC USASC & FT. GORDON		
Individuals in basic order		
ASG / ATCH To Co	<i>513</i>	<i>MT</i>